BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

REDONDO BEACH UNIFIED SCHOOL DISTRICT AND

TORRANCE UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2019090067

ORDER GRANTING REDONDO BEACH UNIFIED SCHOOL DISTRICT'S AND TORRANCE UNIFIED SCHOOL DISTRICT'S PEREMPTORY CHALLENGE

APRIL 24, 2020

On April 24, 2020, Redondo Beach Unified School District and Torrance Unified School District filed a notice of peremptory challenge to Administrative Law Judge Chris Butchko in the above captioned matter. Redondo Beach Unified School District's and Torrance Unified School District's peremptory challenge is made pursuant to Government Code section 11425.40, subdivision (d), of the Administrative Procedures Act, and California Code of Regulations, title 1, section 1034.

Government Code section 11425.40, subdivision (d), establishes the criteria for disqualification of the presiding officer. A party is entitled to one peremptory challenge (disqualification without cause) to an ALJ assigned to an Office of Administrative Hearings hearing. (Cal. Code Regs., tit. 1, § 1034, subds. (a) & (b); Gov. Code, § 11425.40, subd. (d).) In no event will a peremptory challenge be allowed if it is made after the hearing has commenced. In addition, if at the time of a scheduled prehearing conference, an ALJ has been assigned to the hearing, any challenge to the assigned ALJ shall be made no later than commencement of that prehearing conference. (Cal. Code Regs., tit. 1, § 1034, subd. (c).) A peremptory challenge is not allowed on reconsideration or remand. (Cal. Code Regs., tit. 1, § 1034, subd. (a).)

Redondo Beach Unified School District's and Torrance Unified School District's peremptory challenge is timely made and is granted pursuant to Government section 11425.40, subdivisions (a) and (d), and California Code of Regulations, title 1, section 1034, subdivision (c).

ORDER

1. Redondo Beach Unified School District's and Torrance Unified School District's challenge of ALJ Butchko is granted. Matter is now assigned to ALJ Rommel Cruz.
2. All dates previously set in this matter will remain on calendar.

IT IS SO ORDERED.

DocuSigned by:
Peter Paul Castillo
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Peter Paul Castillo

Presiding Administrative Law Judge

Office of Administrative Hearings